

✓ Hale Lane Peek Dennison Howard and Anderson  
100 West Liberty Street, 10th Floor  
Reno, Nevada 89501

1 Case No. 98-CV-0108  
2 Dept. No. I

FILED

NO \_\_\_\_\_ RECEIVED

'98 SEP 11 P2:46 SEP 11 11  
DOUGLAS COUNTY DISTRICT COURT

BARBARA REED  
D. DALEY  
BY \_\_\_\_\_ DEPUTY

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF DOUGLAS

9 SCM ROLLING J RANCH, a Nevada limited  
liability company,

10 Plaintiff,

11 v.

NOTICE OF LIS PENDENS

12 BUCKEYE CREEK CORPORATION, a  
13 Nevada corporation; DON BENTLY,  
14 individually; BENTLY FAMILY LIMITED  
15 PARTNERSHIP, a Nevada limited partnership;  
and DOES 1-10,

16 Defendants.

17 TO WHOM IT MAY CONCERN:

18 PLEASE TAKE NOTICE that an action has been commenced and is now pending in the above-  
19 entitled court under the docket number set forth above by plaintiff against defendants. Plaintiff's complaint  
20 alleges breach of contract and seeks declaratory relief and specific performance of the Agreement to  
21 Purchase and Sale.

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1 The real property affected by the Lis Pendens is situate in Douglas County, Nevada, and is more  
2 particularly described in Exhibit "A" attached hereto.

3 DATED: This 11 day of September, 1998.

4  
5  
6  
7 Richard L. Elmore, Esq.  
8 Nevada Bar No. 1405  
9 Jeremy J. Nork, Esq.  
10 Nevada Bar No. 4017  
11 Hale Lane Peek Dennison Howard  
12 and Anderson  
13 100 West Liberty Street, Tenth Floor  
14 Post Office Box 3237  
15 Reno, Nevada 89505  
16 (702) 327-3000

17 Attorneys for Plaintiff

Hale Lane Peek Dennison Howard and Anderson  
100 West Liberty Street, 10th Floor  
Reno, Nevada 89501

18  
19  
20  
21  
22 SEAL

23  
24 **CERTIFIED COPY**

25 The document to which this certificate is attached is a  
26 full, true and correct copy of the original on file and of  
27 record in my office.

28 DATE: 9/11/98  
Clerk of the 9th Judicial District Court  
of the State of Nevada, in and for the County of Douglas,

By: [Signature] Deputy

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## EXHIBIT "A"

The land referred to herein is situated in the State of Nevada, County of Douglas, described as follows:

### PARCEL 1:

Parcels 1 through 32, inclusive, as shown on the initial final map of BUCKEYE CREEK SUBDIVISION, filed for record in the office of the County Recorder of Douglas County, State of Nevada, on June 30, 1989, in Book 689, at Page 4746, as Document No. 205898.

Assessment Parcel Nos. 23-280-24 through 52,  
23-291-12, 13, and 14

Together with a non-exclusive right of way for public road with incidents thereto over and across all those certain named streets lying within the interior boundary lines of the herein above mentioned subdivision.

FURTHER TOGETHER with access and utility easements as shown on Record of Survey Map in Book 1280, Page 1510, as Document No. 51917.

### PARCEL 2:

(2A) A parcel of land located within Sections 14 and 23, Township 13 North, Range 20 East, M.D.B.&M., Douglas County, Nevada, being more particularly described as follows:

Parcel 32, as shown on Sheet 2 of the Record of Survey for Nevis Industries, Inc., Document No. 51917 and the Record of Survey in Douglas County Recorders Office, excepting the Westerly 12 acres more or less thereof, and being further described as follows:

Commencing at the Southeast corner of said Section 14; thence South  $88^{\circ}54'05''$  West, 3,971.13 feet to the POINT OF BEGINNING being the Southeast corner of said Parcel 34; thence South  $88^{\circ}54'05''$  West, 945.81 feet; thence North  $01^{\circ}29'07''$  West, 1,297.72 feet; thence North  $88^{\circ}39'28''$  East, 934.07 feet; thence South  $02^{\circ}00'04''$  East, 1,301.82 feet to the POINT OF BEGINNING.

The above mentioned Parcel 34 is also described as Parcel 6 in Deed as Document No. 109813 recorded in the Douglas County

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Recorders Office.

Together with easements as shown on said Record of Survey Document No. 51917.

(2B) A parcel of land located within a portion of the West 1/2 of Section 14, Township 13 North, Range 20 East, M.D.B., &M., Douglas County, Nevada, being more particularly described as follows:

Parcel 36 as shown on the Record of Survey Map filed within the Official Records of Douglas County, Nevada, as Book 1280, Page 1510, Document No. 51917 and being further described as follows:

Commencing at the Southeast corner of said Section 14; thence South 88°54'05" West, 5,320.00 feet; thence North 01°29'07" West, 1,296.00 feet to the POINT OF BEGINNING being the Southwest corner of Parcel 36; thence North 01°29'07" West, 1,288.00 feet; thence North 88°14'49" East, 1,359.33 feet; thence South 0°30'18" East, 1,297.87 feet; thence South 88°39'28" West, 1,337.12 feet to the POINT OF BEGINNING.

TOGETHER with easements as shown on said Record of Survey Map No. 51917.

(2C) A parcel of land located within a portion of the West 1/2 of Section 14, Township 13 North, Range 20 East, M.D.B., &M., Douglas County, Nevada, being more particularly described as follows:

Parcel 39 as shown on the Record of Survey Map filed within the Official Records of Douglas County, Nevada, as Book 1280, Page 1510, Document No. 51917 and being further described as follows:

Commencing at the Northeast corner of said Section 14; thence South 87°24'19" West, 5,459.86 feet; thence South 01°29'07" East, 1,273.01 feet to the POINT OF BEGINNING being the Northwest corner of Parcel 39; thence North 88°14'49" East, 1,361.01 feet; thence South 01°24'41" East, 1,301.29 feet; thence South 88°14'49" West, 1,359.33 feet; thence North 01°29'07" West, 1,301.28 feet to the POINT OF BEGINNING.

TOGETHER with easement as shown on said Record of Survey Map No. 51917.

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(2D) A parcel of land located within a portion of the Northwest 1/4 of Section 14, Township 13 North, Range 20 East, M.D.B. & M., Douglas County, Nevada, being more particularly described as follows:

Parcel 43 as shown on the Record of Survey Map filed within the Official Records of Douglas County, Nevada, as Book 1280 Page 1510, Document No. 51917 and being further described as follows:

Commencing at the Northeast corner of said Section 14; thence South  $87^{\circ}24'19''$  West, 4,096.96 feet to the POINT OF BEGINNING being the Northeast corner of Parcel 43; thence South  $01^{\circ}24'41''$  East, 1,293.03 feet; thence South  $88^{\circ}14'49''$  West, 1,361.01 feet; thence North  $01^{\circ}29'07''$  West, 1,273.01 feet; thence North  $87^{\circ}24'19''$  East, 1,352.90 feet to the POINT OF BEGINNING.

TOGETHER with easement as shown on said Record of Survey Map No. 51917.

Parcels 2A, 2B, 2C, and 2D hereinabove comprise Assessor's Parcel No. 23-270-54.

PARCEL 3:

A parcel of land being the South 1/2 of the Southwest 1/4 of Section 24, Township 13 North, Range 20 East, M.D.B.&M., as shown on the Record of Survey map for Raymond P. and Pete Borda, Document No. 223658 of the Douglas County Recorders Office and being more particularly described as follows:

Beginning at the Southwest corner of said Section 24 as shown on said Record of Survey, Document No. 223658; thence North  $00^{\circ}09'10''$  East, along the West line of said Section 24, 1,325.73 feet; thence South  $89^{\circ}14'30''$  East, along the North line of the South 1/2 of the Southwest 1/4 of said Section 24, 2,613.01 feet; thence South  $00^{\circ}34'29''$  West, along the East line of South 1/2 of the Southwest 1/4 of Section 24, 1,341.05 feet; thence North  $88^{\circ}54'10''$  West, along the south line of said Section 24, 2,603.43 feet to the POINT OF BEGINNING.

APN 23-130-02

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REQUESTED BY  
*Hale Lase et al*  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

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LINDA SLATER  
RECORDER  
\$11.00 PAID *K2* DEPUTY